

Brian E. Goldberg, Assistant United States Trustee  
State Bar # NY 3960952  
Jonas V. Anderson, Attorney  
State Bar # VA 78240  
*jonas.v.anderson@usdoj.gov*  
UNITED STATES DEPARTMENT OF JUSTICE  
Office of the United States Trustee  
300 Las Vegas Boulevard, So., Suite 4300  
Las Vegas, Nevada 89101  
Tel.: (702) 388-6600, Ext. 227  
Fax: (702) 388-6658

E-filed on August 31, 2015

Attorneys for the United States Trustee for Region 17  
TRACY HOPE DAVIS

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

PAHRUMP 88, LLC,

Debtor.

Case No: BK-S-15-11907-LED

Chapter 11

Date: September 1, 2015

Time: 9:30 a.m.

Place: LED-Courtroom 3, Foley Federal Bldg.

**ADDENDUM TO THE MOTION OF THE UNITED STATES TRUSTEE,  
PURSUANT TO 11 U.S.C. § 1112(b) AND FEDERAL RULES OF BANKRUPTCY  
PROCEDURE 1017(f) AND 9014, TO DISMISS CHAPTER 11 CASE**

To the Honorable LAUREL E. DAVIS, United States Bankruptcy Judge:

Tracy Hope Davis, United States Trustee for Region 17 (the “United States Trustee”),  
by and through undersigned counsel, hereby brings this short *Addendum to the Motion of the United States Trustee, Pursuant to 11 U.S.C. § 1112(b) and Federal Rules of Bankruptcy Procedure 1017(f) and 9014, to Dismiss Chapter 11 Case* (the “Addendum”). The Addendum supplements the United States Trustee’s motion to dismiss this case [ECF No. 22], and sets forth the following points:

1. Randy M. Creighton, Esq. (“Counsel”), counsel for Pahrump 88, LLC (“Debtor”), contacted the Office of the United States Trustee prior to the first meeting of creditors

1 scheduled in this case, which meeting of creditors was scheduled for May 14, 2015, to advise  
2 the Office of the United States Trustee that the Debtor's representative(s) would not be  
3 appearing at that meeting of creditors.

4  
5 2. Counsel appeared at the Initial Debtor Interview ("IDI") in this case.

6 3. No manager, member or other representative of the Debtor has ever appeared at  
7 an IDI or meeting of creditors convened in this case.

8 4. The Debtor has not filed any operating reports in this case. [See Docket].

9 5. The Debtor has not paid any fees required under 28 U.S.C. 1930(a)(6) in this  
10 case, despite the Debtor's receiving multiple delinquency notices from the Office of the United  
11 States Trustee. *See Declaration of Donna Jensen*, attached hereto as "Exhibit A."

12  
13 Dated: August 31, 2015

14 Respectfully submitted,

15 TRACY HOPE DAVIS  
16 UNITED STATES TRUSTEE

17 By: /s/ Jonas V. Anderson  
18 Jonas V. Anderson, Esq.  
19 Attorney for the United States Trustee  
20 United States Department of Justice  
21  
22  
23  
24  
25  
26  
27  
28

# **EXHIBIT A**

1 TRACY HOPE DAVIS  
2 United States Trustee for Region 17  
3 Office of the U.S. Trustee  
4 300 Las Vegas Blvd., #4300  
5 Las Vegas, NV 89101  
6 Telephone: (702) 388-6600  
7 Fax: (702) 388-6658

8 By: BRIAN GOLDBERG  
9 Assistant United States Trustee  
10 Email: [brian.goldberg@usdoj.gov](mailto:brian.goldberg@usdoj.gov)

11 **UNITED STATES BANKRUPTCY COURT**

12 **DISTRICT OF NEVADA**

|                            |   |                            |
|----------------------------|---|----------------------------|
| 13 In re                   | / | Case No. BK-S-15-11907-led |
| 14 <b>PAHRUMP 88, LLC,</b> | / |                            |
|                            | / | Chapter 11                 |
| 15 Debtor.                 | / |                            |
|                            | / |                            |

16 **DECLARATION OF DONNA JENSEN**

17 I, Donna Jensen, declare as follows:

18 **1.** I am employed as a Paralegal Specialist / Quarterly Fee Coordinator in the Office  
19 of the United States Trustee, Region 17, San Francisco Division, 235 Pine Street, Suite 700, San  
20 Francisco, California 94104.

21 **2.** I make this declaration based on my own personal knowledge of the facts of this  
22 matter and based upon my review of the Chapter 11 Quarterly Fee Information and Collection  
23 System maintained by the United States Trustee Program. If called upon to do so, I could and  
24 would testify as to these facts.

1           **3.**       On August 14, 2015, in my capacity as Quarterly Fee Coordinator, I sent an email  
2 advising Debtors' counsel of delinquent fees in this case. Attached as "Exhibit 1" is a true and  
3 correct copy of my August 14, 2015, email.

4           **4.**       On August 24, 2015, in my capacity as Quarterly Fee Coordinator, I sent an email  
5 advising Debtors' counsel of delinquent fees in this case. Attached as "Exhibit 2" is a true and  
6 correct copy of my August 24, 2015, email.

7  
8           **5.**       On August 31, 2015, I reviewed the records in PACER for the above  
9 captioned chapter 11 case. The court's docket shows that the Debtor failed to file its monthly  
10 operating report.

11           **6.**       As of this date, Debtor owes estimated fees in the amount of \$325 as follows:

12                               2<sup>nd</sup> Q 2015 - \$325 (estimated)

13                               **Total:**       **\$325**

14  
15           **7.**       The foregoing fees have been estimated, because the Debtor has not filed its  
16 post confirmation quarterly reports.

17  
18           I declare under penalty of perjury that the foregoing is true and correct this 31<sup>st</sup> day of  
19 August 2015, San Francisco, California.

20                               /s/ Donna Jensen

Exhibit 1

Jensen, Donna (USTP)

---

**From:** Jensen, Donna (USTP)  
**Sent:** Friday, August 14, 2015 10:03 AM  
**To:** 'randy@smallbusinessattorney.vegas'  
**Subject:** 15-11907 Pahrump 88

Dear Counsel,

According to our records, the debtor(s) on the above referenced case have failed to pay United States Trustee quarterly fees that were due **on or before June30, 2015 for the 2nd quarter of 2015 in the amounts of \$325.** Please ensure that the debtor(s) make payment within ten 10 days of the date of this email if they have not already done so. Please mail payments to: U.S. Trustee Payment Center, P.O. Box 530202, Atlanta, GA 30353-0202.

Our records also indicate that the required financial report(s) have not been filed with the court. **Please review the court docket to identify any missing report(s)** and ensure that the debtor(s) file the delinquent reports with the court within ten 10 days of the date of this email if they have not already done so. **Please be advised, delinquent quarterly fees and/or reports are cause to bring a motion under §1112 for dismissal or conversion.**

Thank you for your attention to this matter. If you should have any questions please contact me.

*This communication is not intended to prejudice or supersede any pending legal actions or alternative payment arrangements. Please note that pursuant to 31 U.S.C. §3717, interest has been assessed on past due balances. Debtors may not yet have received billings for recent adjustments after receipt of monthly operating reports. Some of the listed balances may be based upon estimated disbursements because the debtors have failed to timely file monthly operating reports. If you believe that any balance is inaccurate for this or any other reason, please advise us. Recent payments may not yet have been credited.*

Donna Jensen  
Paralegal Specialist  
Quarterly Fee Coordinator, Region #17  
Office of the U.S.Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104  
(415)705-3342

Jensen, Donna (USTP)

---

**From:** Jensen, Donna (USTP)  
**Sent:** Tuesday, August 25, 2015 8:04 AM  
**To:** 'randy@smallbusinessattorney.vegas'  
**Subject:** 15-11907 Pahrump 88, LLC

Dear Counsel,

Despite the notice of delinquency sent to you by email on **August 13, 2015 and/or August 14, 2015**, the debtor has not yet paid United States Trustee quarterly fees in the amount of **\$325, for the 2<sup>nd</sup> quarter 2015**. Please contact me to discuss any balance that will not be paid immediately.

Thank you for your attention to this matter.

*This communication is not intended to prejudice or supersede any pending legal actions or alternative payment arrangements. Please note that pursuant to 31 U.S.C. §3717, interest has been assessed on past due balances. Debtors may not yet have received billings for recent adjustments after receipt of monthly operating reports. Some of the listed balances may be based upon estimated disbursements because the debtors have failed to timely file monthly operating reports. If you believe that any balance is inaccurate for this or any other reason, please advise us. Recent payments may not yet have been credited.*

Donna Jensen  
Paralegal Specialist  
Quarterly Fee Coordinator, Region 17  
Office of the United States Trustee  
235 Pine Street, Ste 700  
San Francisco, CA 94104  
415-705-3342  
[Donna.jensen@usdoj.gov](mailto:Donna.jensen@usdoj.gov)